



With further reference to the proposed disposal of lands at Santry Cross/Ballymun Town Centre.

Report Nos.283/02 and 213/2005 which were assented to by the City Council at its meetings on 4th November 2002 and 5th September 2005 respectively contained a proposal to dispose of lands at Santry Cross/Ballymun Town Centre to Pierce Contracting Limited or its nominees subject to terms and conditions.

The terms and conditions provided that title to the common areas of the development would be transferred by way of long leases to management companies established for this purpose.

The legal formalities have not yet been completed and legal advice has now been received advising that the common areas be dealt with by way of transfer of the Council's freehold interest rather than by way of long leases. The advice outlines further that this approach is more consistent with the intentions of the Multi-Unit Developments Act 2011 and further that there is no logic for the Council to retain its freehold title in a development which it essentially has no interest in. It is therefore proposed that this disposal proceed in line with this advice.

There are no objections to this proposed revision and accordingly, it is proposed to vary Report Nos.283/02 and 213/2005 insofar as they relate to the common areas of the development and to transfer the freehold rather than a long leasehold interest in respect of these areas. The transaction is to be otherwise completed in accordance with the terms and conditions previously agreed.

The fee simple interest to be disposed of was acquired from Peggy Greene, Angela Oliver, Fingal County Council, Richard Warner Wilkinson, U.C.D. and Irish Land Commission.

No agreement enforceable at law is created or intended to be created until an exchange of contracts has taken place.

The disposal shall be subject to any such covenants and conditions as the Law Agent in her discretion shall stipulate.

This report is submitted in accordance with the requirements of Section 183 of the Local Government Act, 2001.

Resolution:

"That Dublin City Council notes the contents of this report and assents to the proposal outlined therein".

Richard Shakespeare
Assistant Chief Executive
20th February 2023

